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25 MAY 2000

Legal Staff
International Division

Case CM1189Q

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of :
Achim Schmitt :
Serial Nos. 09/155,610 and :
09/242,014 : Group Art Unit
Filed March 27, 1997 : Examiner
For DISPOSABLE ABSORBENT :
ARTICLE WITH WINGS
PREDISPOSED TOWARD
THEIR IN-USE POSITION

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OFFICE OF PETITIONS
DEPUTY A/C PATENTS

PETITION TO WITHDRAW ERRONEOUS NOTICE OF ABANDONMENT
OR ALTERNATIVELY TO REVIVE
UNINTENTIONALLY ABANDONED APPLICATION

Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

The Applicants respectfully petition the Commissioner of Patents to withdraw the Notification of Abandonment mailed on January 19, 2000 because the Patent Office has mixed up the serial numbers to two applications and erroneously determined that the Applicant failed to respond to the Notification of Missing Requirements.

Statement of Facts

The Notification of Abandonment mailed January 19, 2000, indicates that Applicant failed to respond to the Notification of Missing Requirements mailed April 28, 1999.

The Notification of Abandonment is in error, however, because the Applicant timely filed a Declaration and Power of Attorney on April 5, 1999. A copy of the Transmittal Letter and Declaration filed by Applicant, and the return post card indicating receipt of the same by the U.S. Patent Office are attached hereto as Exhibits "A" and "B", respectively. The Notification of Missing Requirements, however, had one serial number,

Serial No. 09/242,014, and the filing receipt for the present application, a copy of which is attached as Exhibit "C", assigned another serial number, Serial No. 09/155,610.

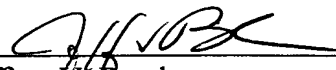
The Patent and Trademark Office has mixed up the serial numbers between two applications. The pending application should be entitled "Disposable Absorbent Article With Wings Predisposed Toward Their In-Use Position." The filing receipt for the present application was assigned Serial No. 09/155,610. However, the filing receipt erroneously indicates that the title to the present invention is "Device and Method for Fixing and Protecting Semiconductor Wafers", and that the foreign priority document is from Denmark. This is obviously a reference to another company's application. The Notification of Abandonment refers to the attorney docket number for the present application, but gives it a different serial number, Serial No. 09/242,014. The present Notification of Abandonment may have even been sent to The Procter & Gamble Company, assignee of the present application, incorrectly, and should have been sent to the owner of the application entitled "Device and Method for Fixing and Protecting Semiconductor Wafers." Further, this other company may not even have received the Notification of Missing Requirements since it apparently was sent to Procter & Gamble in error.

Memorandum

Since the Applicants did timely file a Declaration, the Notification of Abandonment is improper and should be withdrawn.

Please charge any fees associated with this petition to Deposit Account No. 16-2480. A duplicate copy of this petition is included for this purpose. However, Applicants request that this petition be granted without any fees since the Notification of Abandonment was improperly issued.

Respectfully submitted,

By 
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4/6, 2000
Cincinnati, Ohio